

All District Engineers

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Special Provision for Authority of Railroad Engineer

April 16, 2004

This special provision was created to address concerns brought forward by the IDOT/Industry Joint Coop. It revises Article 105.02 to pay for work ordered by the railroad engineer.

This special provision should be inserted in all contracts involving railroads.

The districts should include the BDE Check Sheet marked with the applicable special provisions for the July 30, 2004 and subsequent lettings. The Project Development and Implementation Section will include a copy in the contract.

This special provision will be available on the transfer directory April 16, 2004.

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AUTHORITY OF RAILROAD ENGINEER (BDE)

Effective: July 1, 2004

Revise Article 105.02 of the Standard Specifications to read:

“105.02 Authority of Railroad Engineer. Whenever the safety of railroad traffic is concerned, the Railroad Engineer will have jurisdiction over safety measures to be taken and his/her decision as to the methods, procedures, and measures used shall be final, and any and all Contractors performing work near or about the railroad shall be governed by such decision. Instructions to the Contractor by the Railroad Engineer will be given through the Engineer. Work ordered as specified herein will be classified and paid for according to Article 104.02. Work performed for the Contractor's convenience will not be paid for separately but shall be considered as included in the contract.”

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